

EXHIBIT 3

OPENING POST-HEARING BRIEF

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UNITED STATES DEPARTMENT OF THE INTERIOR
 OFFICE OF HEARINGS AND APPEALS
 Hearings Division
 139 East South Temple, Suite 600
 Salt Lake City, Utah 84111

OMAR STRATMAN,)	IBLA 96-152
)	
Protestant,)	No. A76-0132 CV (JKS)
)	
v.)	Challenge to the eligibility of
)	Woody Island as a Native village
LEISNOI, INC.,)	under Section 11(b)(3) of the
)	Alaska Native Claims Settlement
Respondent,)	Act, 43 U.S.C. §1610(b)(3)(1994)
)	
KONIAG, INC.,)	
BUREAU OF INDIAN AFFAIRS)	
)	
Intervenors)	
)	


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The Bureau of Indian Affairs (BIA), U.S. Department of the Interior, joins Leisnoi, Inc., Respondent, and Koniag, Inc., Intervenor, in the contentions, including the underlying legal and factual analysis, set forth in the latters' opening post-hearing briefs. Departmental Counsel has been quite familiar for some time with the positions of both Leisnoi and Koniag on various legal and factual issues which have been raised during and before the hearing on this matter last August. BIA's position on such issues has been basically the same as those of Leisnoi and

Koniag.

The opportunity for Department Counsel to prepare a full-blown post-hearing brief was greatly curtailed by a medical condition which developed at the beginning of last November and necessitated a period of hospitalization and later convalescence at home. Department Counsel resumed work last November 23rd on a reduced (4-hour) work schedule. On last December 3rd, Department Counsel finally started working on a full 8-hour schedule.

DATED this 7th day of December, 1998, at Anchorage, Alaska.


JAMES R. MOTHERSHEAD
Department Counsel for the
Bureau of Indian Affairs